

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT KNOXVILLE

JUNE 1999 SESSION

FILED

August 12, 1999

Cecil Crowson, Jr.  
Appellate Court  
Clerk

**BILLY JOE SISK,**

Appellant,

VS.

**STATE OF TENNESSEE,**

Appellee.

\*

C.C.A. # 03C01-9807-CC-00256

\*

COCKE COUNTY

\*

Honorable Ben W. Hooper II, Judge

\*

(Post-Conviction)

\*

FOR THE APPELLANT:

SUSANNA LAWS-THOMAS  
Assistant Public Defender  
102 Mims Avenue  
Newport, TN 37821-3614

FOR THE APPELLEE:

PAUL G. SUMMERS  
Attorney General & Reporter

TODD R. KELLEY  
Assistant Attorney General  
425 Fifth Avenue North  
Nashville, TN 37243-0493

AL C. SCHMUTZER, JR.  
District Attorney General

JAMES BRUCE DUNN  
Assistant District Attorney General  
339-A East Main Street  
Newport, TN 37821

OPINION FILED: \_\_\_\_\_

**AFFIRMED - RULE 20**

**JOHN EVERETT WILLIAMS,**  
Judge

## OPINION

Billy Joe Sisk appeals from a judgment of the Circuit Court of Cocke County dismissing his petition for post-conviction relief. The petitioner was convicted of aggravated assault and second degree murder and was sentenced to concurrent terms of three and eighteen years respectively. This Court affirmed his convictions and sentences on direct appeal. See State v. Billy Joe Sisk, Cocke County, No. 03C01-9410-CR-00367 (Tenn. Crim. App. filed January 17, 1997, at Knoxville).

On June 23, 1997, the petitioner filed a pro se motion for post-conviction relief, alleging that his trial counsel was ineffective. The trial court granted an evidentiary hearing and, finding no merit to the petitioners allegations, dismissed the petition.

After carefully reviewing the record and arguments of counsel, we conclude that the evidence does not preponderate against the findings of the trial court, and we find no error of law mandating reversal. Therefore, pursuant to Rule 20 of the Court of Criminal Appeals, we AFFIRM the judgment of the trial court.

---

JOHN EVERETT WILLIAMS, Judge

CONCUR:

---

JOHN H. PEAY, Judge

---

DAVID G. HAYES, Judge